



General Assembly

Amendment

June Special Session, 2021

LCO No. 10953



Offered by:
REP. HOWARD, 43rd Dist.

To: Senate Bill No. **1201**

File No.

Cal. No.

(As Amended)

**"AN ACT CONCERNING RESPONSIBLE AND EQUITABLE
REGULATION OF ADULT-USE CANNABIS."**

1 Strike section 18 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 18. (NEW) (*Effective July 1, 2021*) (a) Except as provided in
4 subsection (c) of this section, if a person is twenty-one years of age or
5 older, or in the case of a motor vehicle, the operator or any of the
6 passengers are twenty-one years of age or older, any of the following
7 shall not constitute in part or in whole probable cause or reasonable
8 suspicion and shall not be used as a basis to support any stop or search
9 of a person or motor vehicle:

10 (1) The odor of cannabis or burnt cannabis;

11 (2) The possession of or the suspicion of possession of cannabis
12 without evidence that the quantity of cannabis is or suspected to be in
13 excess of five ounces of cannabis plant material, as defined in section

14 21a-279a of the general statutes, or an equivalent amount of cannabis
15 products or a combination of cannabis and cannabis products, as
16 provided in subsection (i) of section 21a-279a of the general statutes; or

17 (3) The presence of cash or currency in proximity to cannabis without
18 evidence that such cash or currency exceeds five hundred dollars.

19 (b) Any evidence discovered as a result of any stop or search
20 conducted in violation of this section shall not be admissible in evidence
21 in any trial, hearing or other proceeding in a court of this state.

22 (c) A law enforcement official may conduct a test for impairment
23 based on the odor of cannabis or burnt cannabis if such official
24 reasonably suspects the operator or a passenger of a motor vehicle of
25 violating section 14-227, 14-227a, 14-227m or 14-227n of the general
26 statutes."

27 Strike subsection (c) of section 112 in its entirety

28 Strike subsection (c) of section 113 in its entirety

29 Strike section 163 in its entirety and substitute the following in lieu
30 thereof:

31 "Sec. 163. (NEW) (*Effective October 1, 2021*) Any person twenty-three
32 years of age or older who sells, delivers or gives cannabis, as defined in
33 section 1 of this act, to any person under twenty-one years of age, and
34 who knew or should have known that such person was under twenty-
35 one years of age, shall be fined not more than three thousand five
36 hundred dollars or imprisoned not more than eighteen months, or
37 both."

38 After the last section, add the following and renumber sections and
39 internal references accordingly:

40 "Sec. 501. Section 54-33o of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2021*):

42 (a) (1) [No] Subject to the provisions of section 18 of this act, a law
 43 enforcement official may ask an operator of a motor vehicle to conduct
 44 a search of a motor vehicle or the contents of the motor vehicle that is
 45 stopped by a law enforcement official, [solely for a motor vehicle
 46 violation] provided such law enforcement official has reasonable and
 47 articulable suspicion that weapons, contraband or other evidence of a
 48 crime is contained within the vehicle. A law enforcement official who
 49 solicits consent to search a motor vehicle shall, whether or not the
 50 consent is granted, complete a police report within forty-eight hours
 51 documenting the reasonable and articulable suspicion for the
 52 solicitation of consent.

53 (2) [Any] Subject to the provisions of section 18 of this act, any search
 54 by a law enforcement official of a motor vehicle or the contents of the
 55 motor vehicle that is stopped by a law enforcement official solely for a
 56 motor vehicle violation shall be (A) based on probable cause, or (B) after
 57 having received [the unsolicited] consent to such search from the
 58 operator of the motor vehicle in written form or recorded by body-worn
 59 recording equipment or a dashboard camera, each as defined in section
 60 29-6d.

61 (b) [No] Subject to the provisions of section 18 of this act, no law
 62 enforcement official may ask an operator of a motor vehicle to provide
 63 any documentation or identification other than an operator's license,
 64 motor vehicle registration, insurance identity card or other
 65 documentation or identification directly related to the stop, when the
 66 motor vehicle has been stopped solely for a motor vehicle violation,
 67 unless there exists probable cause or reasonable and articulable
 68 suspicion to believe that a felony or misdemeanor offense has been
 69 committed or the operator has failed to produce a valid operator's
 70 license."

This act shall take effect as follows and shall amend the following sections:		
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Sec. 18	July 1, 2021	New section
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Sec. 163	<i>October 1, 2021</i>	New section
Sec. 501	<i>October 1, 2021</i>	54-33o